

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: VALSARTAN, LOSARTAN, AND
IRBESARTAN PRODUCTS LIABILITY
LITIGATION

HON. ROBERT B. KUGLER

Civil No. 19-2875 (RBK/JS)

**DECLARATION PURSUANT TO LOCAL RULE 37.1(b)(1) IN SUPPORT OF THE
TEVA DEFENDANTS' MOTION TO QUASH [DKT 609]**

I, Victoria Davis Lockard, hereby certifies as follows:

1. I am a Shareholder with the law firm of Greenberg Traurig, LLP, representing Defendants Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries Ltd., Actavis LLC, Actavis Pharma, Inc., and Arrow Pharm (Malta) Ltd. (hereinafter "Teva" or "the Teva Defendants") in the above-captioned matter. As such, I have personal knowledge of the facts set forth herein.

2. I make this declaration pursuant to Local Civil Rule 37.1(b)(1) and 28 U.S.C. § 1746 in support of the Teva Defendants' Teva's Motion to Quash Plaintiffs' Third-Party Subpoenas and for Protective Order to Enjoin or Limit Collection of Irrelevant Information by Third-Party Subpoena [DKT 609] (the "Motion"), certifying that counsel for Teva, and specifically myself and other members of my firm, met and conferred with Plaintiffs' counsel in a good faith effort to resolve the issues raised in Teva's Motion without the intervention of the Court and that the parties have been unable to reach agreement at this time.

3. Specifically, my firm and I engaged in an initial telephonic meet and confer with Marlene J. Goldenberg, Esq. and Layne Hilton, Esq., counsel for Plaintiffs, on October 15, 2020 regarding these issues.

4. On October 29, 2020, I emailed Ben Stellpflug, Esq., counsel for Plaintiffs, and copied the Plaintiffs' Executive Committee, regarding an agreement to continue meeting and conferring and reserving objections until the November 11, 2020 CMC. Specifically, I stated: "We understand that meet & confers are ongoing with each of the manufacturers regarding the third-party subpoenas. We would like to continue that process prior to burdening the court with motions practice regarding any objections we may have to any of the third-party subpoenas. Can we agree that Defendants will have until the Nov 11th conference with Judge Schneider to raise with the Court any issues we have as to any of the subpoenas to the extent unresolved issues remain? Please confirm today." After receiving no response to my email, the following day on October 30th, I emailed the same distribution to ask if someone on Plaintiffs' side could confirm receipt of my email request, yet Plaintiffs did not respond until November 2, 2020, after the motion was filed.

5. Out of an abundance of caution, given the potential deadline, Teva filed the present Motion on October 30, 2020.

6. My team and I met and conferred with counsel for Plaintiffs, Ben Stellpflug, Esq. by telephone again today, November 10, 2020, regarding the Third-Party Subpoenas and issues raised in the motion. Counsel for Plaintiffs agreed to discuss further with Plaintiffs' team and to provide further response to Teva this week regarding our request to narrow and/or withdraw certain subpoenas. The Parties will continue to meet and confer prior to the upcoming CMC to the extent possible to resolve these issues, if possible.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on November 10, 2020

/s/ Victoria Davis Lockard _____
VICTORIA LOCKARD

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CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties that are CM/ECF participants in this action

/s/ Steven M. Harkins